Remarks

Claims 16-38 are at issue. Claims 16-38 stand rejected under 35 USC 103(a) as being unpatentable over www.heise.de/ix/artikel/E/1991/06/106 (Herein after "Marcherius) and hyper.sunjapan.com/cn/~hz/win32/styles3 (herein after "Windows").

Claim 16 requires a module that accepts a request . . . and returns a data file to the requesting system. The article by Marcherius does not describe a request of a requesting system. An instance is not a request an instances according the Tech Encyclopedia (online) is a single copy of a running program. This has nothing to do with a request or requesting system. A parser is a routine that analyzes a continuous flow of text-based input and breaks it into its constituent parts. There is no module to accept a request in Marcherius and no requesting system. Marcherius is just explaining the basic mechanics of XML. Note that a DTD (Document Type Definition) is not a document definition file. A document definition file is a template for extracting information from a server or group of servers (See discussion starting on Page 9 of specification entitled "Document Definition File). A DTD is a formal set of grammar which defines the XML (See Marcherius, page 3, "DTD:Layout Language). A document definition file is not shown in either of the references cited by the Examiner.

The Windows reference just describes the hierarchical relationship between the windows on a CRT of a computer. None of these windows is a requesting system. It is impossible to see how a document definition file would be used by one of these windows. In addition, it is hard to see how the windows would replace a reference to parameter, element or attribute with an actual value as required by claim 16. Further, there is no suggestion in Windows that XML is at all used with the windows system. Claim 16 is clearly allowable over the prior art.

Claim 29 requires a hierarchical data server, a server and a client. The article by Marcherius does not show a client, server and hierarchical data server. In fact Marcherius is merely explaining the structure of XML and does not discuss servers and clients. Note that a DTD (Document Type Definition) is not a document definition file (as required by the claim). A document definition file is a template for extracting information from a server or group of servers (See discussion starting on Page 9 of specification entitled "Document Definition File). A DTD is a formal set of grammar

which defines the XML (See Marcherius, page 3, "DTD:Layout Language). A document definition file is not shown in either of the references cited by the Examiner.

Windows merely teaches the relationship between the windows on a computer screen. How this could be combined with XML is never revealed by the article or the Examiner. There is no discussion of servers in Windows and certainly not a hierarchical data server. Windows does discuss the hierarchy of windows on a computer screen, but this is not claimed in claim 29. Claim 29 is allowable over the prior art.

Claim 34 requires receiving a request from a client and executing a document definition file. Note that a DTD (Document Type Definition) is not a document definition file. A document definition file is a template for extracting information from a server or group of servers (See discussion starting on Page 9 of specification entitled "Document Definition File). A DTD is a formal set of grammar which defines the XML (See Marcherius, page 3, "DTD:Layout Language). A document definition file is not shown in either of the references cited by the Examiner. In addition, Marcherius never discuss an enterprise system. Enterprises systems are existing corporate systems that do not use XML, such as relational databases. Windows merely teaches the relationship between the windows on a computer screen. How this could be combined with XML is never revealed by the article or the Examiner. There is no discussion of servers in Windows and certainly not a hierarchical data server. Windows does discuss the hierarchy of windows on a computer screen, but this is not claimed in claim 34. Claim 34 is allowable over the prior art.

Claim 17 requires a document definition file. Note that DTD (Document Type Definition) is not a document definition file. A document definition file is a template for extracting information from a server or group of servers (See discussion starting on Page 9 of specification entitled "Document Definition File). A DTD is a formal set of grammar which defines the XML (See Marcherius, page 3, "DTD:Layout Language). Claim 17 is allowable over the prior art.

The rejections of claims 18-28, 30-33 & 35-38 amount to Official Notice. The applicants traverses these rejections and demand that the Examiner find a reference that shows these elements.

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The application has been placed in condition for allowance, prompt reconsideration and allowance are respectfully requested
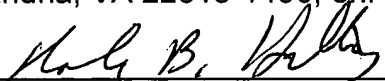
Respectfully submitted,

By

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I hereby certify that a _____ Response _____ is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on:

4/19/04
Date

Signature (Dale B. Hallling)

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